

# Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

12670 NW Barnes Rd., Suite 104  
Portland, Oregon 97229  
Telephone: (503) 574-3100  
Facsimile: (503) 574-3197

John Smith-Hill

Daniel J. Bedell

June 5, 2002

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Attention: Refund Section  
Accounting Division  
Office of Finance

Re: Adjustment of Deposit Account Statement Dated April 30, 2002  
Deposit Account No. 19-2560

Sir:

The Deposit Account Statement dated April 30, 2002 contains several errors:

1. A charge of \$280 for a multiple dependent claim fee against Application No. 10/019,172 was posted April 4, 2002. This charge is incorrect. On February 28, 2002, applicant filed a preliminary amendment cancelling the multiple dependent claims and on April 5, 2002 (within the period allowed for reply to the Notification of Missing Requirements mailed March 7, 2002) applicant filed a copy of the preliminary amendment with a reply to the Notification of Missing Requirements. Applicant thus cancelled the multiple dependent claims prior to expiration of the time period set for reply by the Office in the Notice of Fee Deficiency and accordingly, under 37 CFR 1.492(g), applicant is not required to pay the fee under 37 CFR 1.492(d). Applicant requests a refund of the fee of \$280.
2. A charge of \$1,550 for a maintenance fee at the small entity rate for Patent 4,951,106 was posted April 5, 2002. The third maintenance fee was paid on February 6, 2002 by debit to the deposit account of Dennemeyer & Co. Ltd and on April 22, 2002, the patent owner requested a refund of \$1,550. Accordingly, the entry of April 5, 2002 should have been a credit, not a charge. The patent owner therefore requests a refund of \$3,100 representing reversing the erroneous charge of \$1,550 made on April 5, 2002 and forwarding the originally requested refund of \$1,550.
3. A charge of \$2,500 was posted April 29, 2002 as a negative replenishment of the account. This negative replenishment has not appeared as a corresponding credit in the account holder's bank account. The account holder did not authorize this charge.

Please deposit the requested refunds totaling \$5,880 in Deposit Account 19-2560.

Very truly yours,

John Smith-Hill

Adjustment Date: 02/12/2003 RWHITE1  
04/04/2002 MALI11 00000004 192560 10019172  
01 FC:968 280.00 CR  
JSH/ps